

# **Exhibit 4**

**CUSTOMER CLAIM**

Claim Number \_\_\_\_\_

Date Received \_\_\_\_\_

**BERNARD L. MADOFF INVESTMENT SECURITIES LLC**

In Liquidation

**DECEMBER 11, 2008**

(Please print or type)

Name of Customer: Aozora Bank Ltd., Attn: Jonathan Fiorello  
Mailing Address: 3-1, Kudan-minami, 1-chome, Chiyoda-ku  
City: Tokyo 102-8660 State: Japan Zip: \_\_\_\_\_  
Account No.: Centigrade Fund Unit Trust - See Attachment.  
Taxpayer I.D. Number (Social Security No.): \_\_\_\_\_

**NOTE: BEFORE COMPLETING THIS CLAIM FORM, BE SURE TO READ CAREFULLY THE ACCOMPANYING INSTRUCTION SHEET. A SEPARATE CLAIM FORM SHOULD BE FILED FOR EACH ACCOUNT AND, TO RECEIVE THE FULL PROTECTION AFFORDED UNDER SIPA, ALL CUSTOMER CLAIMS MUST BE RECEIVED BY THE TRUSTEE ON OR BEFORE March 4, 2009. CLAIMS RECEIVED AFTER THAT DATE, BUT ON OR BEFORE July 2, 2009, WILL BE SUBJECT TO DELAYED PROCESSING AND TO BEING SATISFIED ON TERMS LESS FAVORABLE TO THE CLAIMANT. PLEASE SEND YOUR CLAIM FORM BY CERTIFIED MAIL - RETURN RECEIPT REQUESTED.**

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1. Claim for money balances as of **December 11, 2008:**

- a. The Broker owes me a Credit (Cr.) Balance of \$ 1,738,792.82  
b. I owe the Broker a Debit (Dr.) Balance of \$ \_\_\_\_\_  
c. If you wish to repay the Debit Balance,  
please insert the amount you wish to repay and  
attach a check payable to "Irving H. Picard, Esq.,  
Trustee for Bernard L. Madoff Investment Securities LLC."  
If you wish to make a payment, it must be enclosed  
with this claim form. \$ \_\_\_\_\_  
d. If balance is zero, insert "None." \$ \_\_\_\_\_

2. Claim for securities as of **December 11, 2008:**

**PLEASE DO NOT CLAIM ANY SECURITIES YOU HAVE IN YOUR POSSESSION.**

	YES	NO
a. The Broker owes me securities	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. I owe the Broker securities	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. If yes to either, please list below:	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Date of Transaction (trade date)	Name of Security	Number of Shares or Face amount of Bonds	
		The Broker Owes Me (Long)	I Owe the Broker (Short)

Proper documentation can speed the review, allowance and satisfaction of your claim and shorten the time required to deliver your securities and cash to you. Please enclose, if possible, copies of your last account statement and purchase or sale confirmations and checks which relate to the securities or cash you claim, and any other documentation, such as correspondence, which you believe will be of assistance in processing your claim. In particular, you should provide all documentation (such as cancelled checks, receipts from the Debtor, proof of wire transfers, etc.) of your deposits of cash or securities with the Debtor from as far back as you have documentation. You should also provide all documentation or information regarding any withdrawals you have ever made or payments received from the Debtor.

Please explain any differences between the securities or cash claimed and the cash balance and securities positions on your last account statement. If, at any time, you complained in writing about the handling of your account to any person or entity or regulatory authority, and the complaint relates to the cash and/or securities that you are now seeking, please be sure to provide with your claim copies of the complaint and all related correspondence, as well as copies of any replies that you received.

**PLEASE CHECK THE APPROPRIATE ANSWER FOR ITEMS 3 THROUGH 9.**

**NOTE: IF "YES" IS MARKED ON ANY ITEM, PROVIDE A DETAILED EXPLANATION ON A SIGNED ATTACHMENT. IF SUFFICIENT DETAILS ARE NOT PROVIDED, THIS CLAIM FORM WILL BE RETURNED FOR YOUR COMPLETION.**

- |   | <u>YES</u>                  | <u>NO</u>                   |
|---|-----------------------------|-----------------------------|
| 3. Has there been any change in your account since December 11, 2008? If so, please explain.  | <u>                    </u> | <u>x</u>                    |
| 4. Are you or were you a director, officer, partner, shareholder, lender to or capital contributor of the broker?   | <u>                    </u> | <u>x</u>                    |
| 5. Are or were you a person who, directly or indirectly and through agreement or otherwise, exercised or had the power to exercise a controlling influence over the management or policies of the broker? | <u>                    </u> | <u>x</u>                    |
| 6. Are you related to, or do you have any business venture with, any of the persons specified in "4" above, or any employee or other person associated in any way with the broker? If so, give name(s)    | <u>                    </u> | <u>x</u>                    |
| 7. Is this claim being filed by or on behalf of a broker or dealer or a bank? If so, provide documentation with respect to each public customer on whose behalf you are claiming.                         | <u>x</u>                    | <u>                    </u> |
| 8. Have you ever given any discretionary authority to any person to execute securities transactions with or through the broker on your behalf? Give names, addresses and phone numbers.                   | <u>                    </u> | <u>x</u>                    |
| 9. Have you or any member of your family ever filed a claim under the Securities Investor Protection Act of 1970? if so, give name of that broker.  | <u>                    </u> | <u>x</u>                    |

Please list the full name and address of anyone assisting you in the preparation of this claim form:

Karl Geercken  
Alston & Bird LLP  
90 Park Avenue  
New York, NY 10016

If you cannot compute the amount of your claim, you may file an estimated claim. In that case, please indicate your claim is an estimated claim.

**IT IS A VIOLATION OF FEDERAL LAW TO FILE A FRAUDULENT CLAIM. CONVICTION CAN RESULT IN A FINE OF NOT MORE THAN \$50,000 OR IMPRISONMENT FOR NOT MORE THAN FIVE YEARS OR BOTH.**

**THE FOREGOING CLAIM IS TRUE AND ACCURATE TO THE BEST OF MY INFORMATION AND BELIEF.**

Date

6/17/09

Signature



Jonathan Fiorello  
Aozora Bank Ltd.

Senior Managing Executive Officer  
Head of Investment Banking Group

(If ownership of the account is shared, all must sign above. Give each owner's name, address, phone number, and extent of ownership on a signed separate sheet. If other than a personal account, e.g., corporate, trustee, custodian, etc., also state your capacity and authority. Please supply the trust agreement or other proof of authority.)

**This customer claim form must be completed and mailed promptly,  
together with supporting documentation, etc. to:**

Irving H. Picard, Esq.,  
Trustee for Bernard L. Madoff Investment Securities LLC  
Claims Processing Center  
2100 McKinney Ave., Suite 800  
Dallas, TX 75201

**Customer Claim Attachment**

Aozora Bank, Ltd. ("Aozora") files this customer claim for \$1,738,792.82 in cash that was invested with Bernard L. Madoff Investment Securities, LLC ("BLMIS") through Centigrade Fund Unit Trust (the "Centigrade Fund").

Aozora's investments in the Centigrade Fund were denominated in Japanese Yen ("JPY"). For the sole purpose of submitting this claim, the exchange rate as of December 11, 2008 of 1 JPY = 0.0108743 USD is used for estimating Aozora's exposure to BLMIS through the Centigrade Fund in U.S. dollars. As of November 30, 2008, the value of Aozora's investment in the Centigrade Fund was approximately \$22,093,936.69.<sup>1</sup> See Consolidated Statement as of November 30, 2008, attached hereto as Exhibit A. Approximately 7.87% of the Centigrade Fund was invested in Ascot Fund Limited (the "Ascot Fund"). See December 15, 2008 Letter, attached hereto as Exhibit B. Substantially all of the Ascot Fund was invested with BLMIS. Thus, 7.87% of Aozora's \$22,093,936.69 investment was invested with BLMIS. As a result, Aozora invested \$1,738,792.82 in BLMIS through the Centigrade Fund.

This claim is being filed by a bank for losses suffered solely by the bank, and Aozora is making no claims on behalf of any customer.

Please send a copy of all notices or correspondence with regards to this claim to counsel for Aozora at the following address:

Alston & Bird LLP  
90 Park Avenue  
New York, NY 10016  
Attn: Karl Geercken

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<sup>1</sup> The holding value as of November 30, 2008 is JPY 1,871,857,855 (see Exhibit A), which is equal to \$20,355,143.87. This figure, however, is calculated after a 100% write-off of the Ascot Fund. Therefore, Aozora's holding value before writing-off the Ascot Fund is \$22,093,936.69 (this amount multiplied by (100-7.87)% = \$20,355,143.87).

**EXHIBIT A**

**CONSOLIDATED STATEMENT**

**as of 30-Nov-2008**

Aozora Bank Ltd  
3-1 Kudan-Minami  
1 Chome  
Chiyoda-Ku Tokyo  
102-8660

REGISTERED HOLDER(S)

Aozora Bank Ltd.

REGISTERED ADDRESS

3-1 Kudan-Minami  
1 Chome  
Chiyoda-Ku  
Tokyo  
102-8660 Japan

Attention: Chieko Mitsui or Masato Nagatomi  
Fax: 011 813 3263 7284

Holder Number: 1000576204

Country of Residence: Japan

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**Spring Mountain Capital**

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Holding	Latest NAV	NAV Date	Currency	Value
Centigrade Fund Unit Trust Class A Units Series 01-08 class: A a/c 10005762 ( Aozora Bank Ltd. )				
25,120.659683	74,514.677506	30/11/2008	JPY	1,871,857,855.02

Please note that the November capital balance reflects the estimated effect of the Fund's indirect exposure to "Madoff" based on the best information received to date. This number may be subject to change as more information becomes available

Issued by Fortis Prime Fund Solutions (Cayman) Limited as Administrator

Grand Pavilion Commercial Centre

802 West Bay Road

PO Box 2003

Grand Cayman, Cayman Islands B.W.I

KY1-1104

FAX: (345) 914 5903

E-MAIL: shares@ky.fortisbank.com

Contact : Shareholder Services 345 949 7942

Fund Domicile: Cayman Islands

**FORTIS** 



**EXHIBIT B**



SPRING MOUNTAIN CAPITAL

December 15, 2008

Dear Investor:

Over the past few days, we have contacted each of the sub-managers in Centigrade Fund Limited (the "Fund") in order to quantify the Fund's exposure to Bernard L. Madoff Investment Securities, LLC ("Madoff Securities"). Based on our research, only one fund had direct exposure to Madoff Securities - Ascot Fund Limited.

As of November 30, 2008, Ascot constituted 7.87% of the Fund. We believe that substantially all of the Ascot investment was exposed to Madoff Securities, based on currently available information. If these preliminary estimates are correct, the Fund had approximately 7.87% of its assets exposed to Madoff Securities as of November 30, 2008.

Since the announcement of the Madoff Securities fraud, we have taken affirmative steps to protect our interests. We have retained Simpson Thacher & Bartlett LLP to provide us with legal advice concerning all transactional, structural, regulatory and litigation issues that may arise in connection with this matter. Simpson Thacher is one of the nation's most highly regarded and sophisticated law firms. Our team at Simpson Thacher consists of attorneys with expertise in advising victims of financial fraud, working with regulatory and criminal authorities in connection with ongoing investigations, and analyzing all aspects of investment structures, such as ours, in order to maximize their stability and prospect for future success.

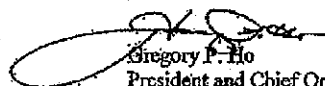
We are evaluating other steps to be taken in order to protect the Fund's assets and expect to have further announcements within the next few days.

The partners and employees of Spring Mountain Capital have over \$130 million invested across our funds and alongside investor assets and have not at any point this year removed our capital.

We remain open to direct calls from any of you about this matter. If we are unavailable at the time of your call, we will endeavor to return it in a very timely manner.

Sincerely,

  
John L. Steffens  
Managing Director

  
Gregory P. Ho  
President and Chief Operating Officer

Spring Mountain Capital, LP 65 East 55th Street, 33rd Floor New York, New York 10022 T 212 292 8300